

SEC. 2. That all Acts and parts of Acts in conflict herewith are modified for the purpose, and only for the purpose, of carrying into effect the provisions hereof.

Modification of conflicting acts.

Approved, May 19, 1930.

**CHAP. 306.**—An Act To provide for a five-year construction and maintenance program for the United States Bureau of Fisheries.

May 21, 1930.

[H. R. 7405.]

[Public, No. 240.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there are hereby authorized to be appropriated during the fiscal year beginning July 1, 1930, such amounts as may be necessary for—

Bureau of Fisheries.  
Sums authorized for establishing stations, etc., for fiscal year, 1931.  
*Post*, p. 874.

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: New Mexico, \$50,000; Louisiana, \$50,000; Idaho, \$60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Wisconsin (in the southern part of the State), \$50,000; Montana, \$35,000; Colorado, \$35,000; New Hampshire (in the White Mountain Forest), \$25,000.

(3) The establishment of a fishery laboratory in the State of Washington, at a cost not to exceed \$125,000.

(4) The establishment of experimental and bass and trout stations in the State of Maryland or West Virginia at a cost not to exceed \$75,000.

SEC. 2. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1931, such amounts as may be necessary for—

For fiscal year, 1932.

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Alabama, \$50,000; Indiana, \$50,000; Tennessee (in the middle division of the State), \$50,000; Pennsylvania (including a substation), \$100,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: South Carolina, or the enlargement of Orangeburg station in said State, \$25,000; Texas (in the western part of the State), \$35,000; New York, \$35,000.

(3) The purchase of Mill Creek station in the State of California, at a cost not to exceed \$20,000.

*Post*, p. 1346.

(4) The purchase and repair of the Rogue River substation in the State of Oregon, at a cost not to exceed \$35,000.

SEC. 3. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1932, such amounts as may be necessary for—

For fiscal year, 1933.

(1) The establishment of a fish-cultural station in the State of Florida, at a cost not to exceed \$60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Maine (including enlargement of Craig Brook station), \$50,000; Virginia (in the eastern part of the State), \$75,000; Minnesota, \$50,000.

(3) The establishment of a fishery laboratory in the State of Texas (on the Gulf coast of the eastern part of the State), at a cost not to exceed \$75,000.

(4) The purchase or construction of a steel fish-distribution car, at a cost not to exceed \$75,000.

For fiscal year, 1934.

SEC. 4. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1933, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Nevada, \$60,000; Illinois, \$75,000; New Jersey, \$75,000; a fish cultural substation in Mississippi (in the southern part of the State), \$50,000.

(2) The purchase or construction of a steel fish-distribution car at a cost not to exceed \$75,000.

For fiscal year, 1935.

SEC. 5. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1934, such amounts as may be necessary for—

(1) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Ohio, \$35,000; Kansas, \$35,000; North Dakota, \$35,000; Georgia, \$35,000.

(2) The purchase and repair of the Little White Salmon station in the State of Washington, at a cost not to exceed \$35,000.

(3) The establishment of a fishery laboratory in the Territory of Alaska, at a cost not to exceed \$50,000.

(4) The establishment of an experimental and bass and trout station in the Pisgah National Forest or in the Great Smoky National Park in the State of North Carolina upon the acquisition of said park by the United States, at a cost not to exceed \$35,000.

Stations, etc., to be located in specified States, etc.

SEC. 6. (a) The stations, substations, and laboratories authorized by sections 1, 2, 3, 4, and 5 shall be located in the States and parts thereof and in the Territory specified, at such suitable points as may be selected by the Secretary of Commerce.

Expenditures authorized for purchase of sites.

(b) Any appropriation made under authority of sections 1, 2, 3, 4, and 5 may be expended for the purchase of sites, and the purchase of equipment, the construction of buildings and ponds, and for such other expenses as may be incidental to the cost of the establishment, purchase, or enlargement, as the case may be, of the station, substation, or laboratory in question.

State cooperation required.

(c) No part of an appropriation made under authority of sections 1, 2, 3, 4, or 5 shall be expended in the construction, purchase, or enlargement of a station or substation until the State in which such station or substation is to be located shall have by legislative action accorded to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by the commissioner be considered necessary and proper, any laws of the State to the contrary notwithstanding. The operation of any station, substation, or laboratory established, purchased, or enlarged under authority of this Act shall be discontinued whenever the State ceases to accord such right; and such operation may be suspended by the Secretary of Commerce whenever in his judgment State laws or regulations affecting fishes cultivated are allowed to remain so inadequate as to impair the efficiency of such station, substation, or laboratory.

Service discontinued on failure, etc.

Continuance of authorizations.

(d) That the authorizations herein given in sections 1, 2, 3, 4, and 5 with reference to appropriations for certain specified years are for the purpose of indicating priority proposed to be given the various projects enumerated therein, but shall not be held to require the appropriations therein enumerated to be made in the years specified, and the appropriations enumerated are likewise authorized in prior or subsequent years in annual or supplemental appropriation Acts.

Additional appropriations authorized.

SEC. 7. There are hereby authorized to be appropriated, in addition to all other amounts authorized by law to be appropriated, not to exceed the following amounts during the fiscal years specified:

(1) For the purpose of providing adequate maintenance costs and personnel for the Division of Fish Culture, Bureau of Fisheries: Fiscal year beginning July 1, 1930, \$100,000; fiscal year beginning July 1, 1931, \$200,000; fiscal year beginning July 1, 1932, \$300,000; fiscal year beginning July 1, 1933, \$400,000; fiscal year beginning July 1, 1934, \$500,000. Of each amount authorized by this paragraph to be appropriated, not more than 30 per centum is authorized for salaries at the seat of government and elsewhere.

Fish Culture Division.  
Maintenance and personnel, fiscal years, 1931 to 1935, inclusive.

(2) To meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural, the encouragement of fish conservation in the waters of the Great Lakes and other waters, and other operations of the Division of Inquiry, Bureau of Fisheries, respecting food fishes, sufficient annual additions to increase present appropriations by not to exceed \$300,000 per annum at the conclusion of the construction program authorized in this Act. Of each amount authorized by this paragraph to be appropriated not more than 40 per centum is authorized for salaries at the seat of government and elsewhere, and not to exceed \$10,000 in any year for a survey of the fisheries of the Hawaiian Islands.

Division of Inquiry.  
Encouragement of fish conservation, etc., by.

Hawaii fisheries.

(3) To provide for the proper husbandry of our fisheries, improvements in methods of capture, merchandising, and distribution of our fishery harvest, including saving and utilization of waste products, and other operations of the Division of Fishery Industries, Bureau of Fisheries, sufficient annual additions to increase present appropriations by not to exceed \$175,000 per annum at the conclusion of the construction program authorized in this Act. Of each amount authorized by this paragraph to be appropriated not more than 40 per centum is authorized for salaries at the seat of government and elsewhere.

Division of Fishery Industries.  
Improving methods of capture, distribution, etc., of fishery harvest.

SEC. 8. In carrying out the provisions of this Act the Bureau of Fisheries may cooperate with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aid to the development of this program.

Cooperation with States, municipalities, private agencies, etc.

Approved, May 21, 1930.

CHAP. 307.—An Act Providing for the lease of oil and gas deposits in or under railroad and other rights of way.

May 21, 1930.  
[H. R. 8154.]  
[Public, No. 241.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the Secretary of the Interior shall deem it to be consistent with the public interest he is authorized to lease deposits of oil and gas in or under lands embraced in railroad or other rights of way acquired under any law of the United States, whether the same be a base fee or mere easement: *Provided*, That, except as hereinafter authorized, no lease shall be executed hereunder except to the municipality, corporation, firm, association, or individual by whom such right of way was acquired, or to the lawful successor, assignee, or transferee of such municipality, corporation, firm, association, or individual.

Oil and gas deposits.  
Leases authorized of, under railroad rights of way, etc.

*Provided*.  
Restricted to owner of right of way.

SEC. 2. That the right conferred by this Act may, subject to the approval of the Secretary of the Interior, be assigned or sublet by the owner thereof to any corporation, firm, association, or individual.

Assignment authorized.